

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 93-94 (AS AMENDED)

Introduced by Council Members Pierno, Wagner and Heselton  
and Council President Wilson

Legislative Day No. 93-34 Date December 21, 1993

AN ACT to repeal and reenact, with amendments, Section 5.03, Approval Procedure, to Section V, The Preliminary Subdivision Plan and/or Site Plan, of the Subdivision Regulations for Harford County, Maryland; to add to the membership of a certain County committee; to require certain notification procedures for the review of certain development plans; to require that certain members attend certain meetings; to establish certain requirements for review of certain development plans; and generally relating to the County approval process for the subdivision and development of land.

By the Council, December 21, 1993

Introduced, read first time, ordered posted and public hearing scheduled  
on: January 18, 1994  
at: 6:30 p.m.

By Order: James D. Vannoy, Acting Secretary

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 18, 1994, and concluded on, February 1, 1994

James D. Vannoy  
Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland, That Section 5.03, Approval Procedure, of Section V, The Preliminary Subdivision Plan and/or Site Plan, be, and it is hereby, repealed and reenacted, with amendments, all of the Subdivision Regulations for Harford County, Maryland, to read as follows:

Subdivision Regulations for Harford County, Maryland.

Section V. The Preliminary Subdivision Plan and/or Site Plan.

5.03 Approval Procedure.

a. The Development Advisory Committee (DAC) is established to advise the Director of Planning and Zoning regarding major subdivisions and other large-scale developments. Representatives from County and state agencies shall be members of the Development Advisory Committee. ~~EACH COUNTY AGENCY THAT IS A MEMBER OF THE DEVELOPMENT ADVISORY COMMITTEE SHALL SEND A REPRESENTATIVE TO EVERY MEETING OF THE COMMITTEE. THAT IS REPRESENTED ON THE DEVELOPMENT ADVISORY COMMITTEE SHALL SUBMIT ORAL OR WRITTEN COMMENT AT EACH COMMITTEE MEETING EXPRESSING THE AGENCY'S RECOMMENDATION OR OPINION REGARDING EACH DEVELOPMENT PLAN REVIEWED BY THE COMMITTEE.~~

Membership shall include, but not be limited to:

1. Department of Planning and Zoning.
2. Department of Public Works.
3. Health Department.
4. Department of Parks and Recreation.
5. Soil Conservation District.
6. Maryland Forest, Park and Wildlife Service.
7. Board of Education.

1           8. State Highway Administration.

2           9. Fire and Ambulance Chiefs Association.

3           10. Public Utility companies.

4           ~~11. ENVIRONMENTAL LAND PRESERVATION COMMISSION.~~

5           ~~12. SHERIFF'S OFFICE.~~

6           ~~13. A REPRESENTATIVE OF THE HARFORD COUNTY CHAMBER OF~~  
7 ~~COMMERCE.~~

8           ~~14. A CITIZEN APPOINTED BY THE COUNTY COUNCIL.~~

9           The Development Advisory Committee shall adopt by-laws to  
10 facilitate the review process. Meetings of the Development  
11 Advisory Committee shall be open to the general ~~public.~~ PUBLIC AND  
12 INCLUDE AN OPPORTUNITY FOR COMMENTS FROM ATTENDING CITIZENS.

13           b. Preliminary plans for residential subdivisions of more  
14 than [five (5)] 5 lots and commercial/industrial subdivisions, and  
15 site plans for non-residential and multi-family housing uses shall  
16 be distributed to the members of the development advisory committee  
17 for review. Comments regarding the plans shall be provided to the  
18 Department of Planning and Zoning in writing and discussed at the  
19 Development Advisory Committee meeting.

20           c. AT LEAST ~~10 DAYS~~ 2 WEEKS PRIOR TO A DEVELOPMENT ADVISORY  
21 COMMITTEE MEETING ON A PRELIMINARY PLAN OR SITE PLAN, THE DIRECTOR  
22 OF PLANNING SHALL ENSURE THAT THE PROPERTY THAT IS THE SUBJECT OF  
23 THE PLAN HAS BEEN POSTED WITH A NOTICE STATING THE DATE, TIME, AND  
24 LOCATION OF THE MEETING AND THE TELEPHONE NUMBER FOR THE DEPARTMENT  
25 OF PLANNING AND ZONING. THE NOTICE SHALL BE ON A SIGN MEASURING  
26 AT LEAST ~~2 FEET BY 3 FEET~~ 22 INCHES BY 28 INCHES WITH RED

1 LETTERING. THE NOTICE SHALL BE CONSPICUOUSLY PLACED ON THE  
2 ~~PROPERTY.~~ PROPERTY NEAR THE RIGHT-OF-WAY LINE OF EACH PUBLIC ROAD  
3 THAT THE PROPERTY HAS FRONTAGE ON AT SUCH LOCATIONS SO THAT THE  
4 NOTICE SHALL BE VISIBLE, IF POSSIBLE, FROM EACH PUBLIC ROAD ON  
5 WHICH THE PROPERTY FRONTS. THE DEPARTMENT OF PLANNING AND ZONING  
6 MAY ASSESS A FEE, NOT TO EXCEED \$100, TO THE APPLICANT FOR THE  
7 POSTING. FOLLOWING THE POSTING, THE APPLICANT SHALL USE REASONABLE  
8 EFFORTS TO MAINTAIN THE NOTICE IN A CONDITION VISIBLE TO THE PUBLIC  
9 UNTIL THE DATE OF THE MEETING.

10 d. NOTICE OF THE DATE, TIME, AND PLACE OF THE DEVELOPMENT  
11 ADVISORY COMMITTEE MEETING, AS WELL AS INFORMATION ABOUT THE TYPE  
12 OF SUBDIVISION, PROPOSED USE, AND NUMBER OF UNITS REQUESTED IN THE  
13 PLAN SHALL BE PUBLISHED ONCE A WEEK FOR 2 CONSECUTIVE WEEKS IN AT  
14 LEAST 2 NEWSPAPERS ~~PUBLISHED~~ GENERALLY CIRCULATED IN HARFORD  
15 COUNTY. THE SECOND PUBLICATION SHALL NOT BE LESS THAN ~~14 DAYS~~ 1  
16 WEEK BEFORE THE MEETING. ~~NOTICE OF THE MEETING SHALL BE MAILED TO~~  
17 ~~ALL ADJOINING PROPERTY OWNERS BY THE DEPARTMENT OF PLANNING AND~~  
18 ~~ZONING.~~ THE DEPARTMENT OF PLANNING AND ZONING SHALL USE REASONABLE  
19 EFFORTS TO CONTACT BY CERTIFIED MAIL EACH ADJOINING PROPERTY OWNER  
20 WITH A NOTICE STATING THE DATE, TIME, AND PLACE OF THE MEETING.  
21 IF AN ADJOINING PROPERTY IS A CONDOMINIUM REGIME ESTABLISHED UNDER  
22 STATE LAW, NOTICE OF THE MEETING MAY BE SENT TO THE REPRESENTATIVE  
23 OF THE UNIT OWNERS. THE APPLICANT SHALL REIMBURSE THE COUNTY FOR  
24 THE COST OF THE MAILING.

25 e. THE DEPARTMENT OF PLANNING AND ZONING SHALL DEVELOP BY  
26 JULY 1, 1994, A CITIZEN INFORMATION GUIDE TO INFORM CITIZENS OF THE

1 RULES OF PROCEDURE OF THE DEVELOPMENT ADVISORY COMMITTEE, THE  
2 PURPOSE OF THE DEVELOPMENT ADVISORY COMMITTEE MEETING, AND THOSE  
3 ISSUES GENERALLY DISCUSSED AT THE MEETING. THE INFORMATION GUIDE  
4 SHALL BE MAILED BY THE DEPARTMENT OF PLANNING AND ZONING TO ANY  
5 ADJOINING PROPERTY OWNER WHO RECEIVES A NOTICE ABOUT A DEVELOPMENT  
6 ADVISORY COMMITTEE MEETING. THE DEPARTMENT OF PLANNING AND ZONING  
7 SHALL PROVIDE THE INFORMATION GUIDE FREE OF CHARGE TO ANY CITIZEN  
8 WHO REQUESTS A COPY.

9  
10 fe. ANY CITIZEN ATTENDING THE DEVELOPMENT ADVISORY  
11 COMMITTEE MEETING MAY MAKE ANY COMMENT REGARDING A DEVELOPMENT PLAN  
12 AND EACH COMMENT SHALL BE ADDRESSED BY A COUNTY AGENCY. IF A  
13 REPRESENTATIVE OF A COUNTY AGENCY IS UNABLE TO ADDRESS THE COMMENT  
14 AT THE MEETING, THE CITIZEN'S NAME AND ADDRESS SHALL BE OBTAINED,  
15 AND A REPRESENTATIVE OF THE APPROPRIATE COUNTY AGENCY SHALL ADDRESS  
16 THE CITIZEN'S COMMENT BY WRITTEN RESPONSE TO THE DIRECTOR OF  
17 PLANNING WITHIN 2 WEEKS OF THE MEETING. THE DIRECTOR OF PLANNING  
18 SHALL BE RESPONSIBLE FOR ENSURING THAT ALL RESPONSES ARE FORWARDED  
19 TO THE APPROPRIATE CITIZENS. THE DIRECTOR OF PLANNING SHALL BE  
20 RESPONSIBLE FOR ENSURING THAT THE RESPONSES ARE FORWARDED TO THE  
21 APPROPRIATE CITIZENS WITHIN 30 DAYS AFTER THE MEETING.

22 g. A PROJECT DESIGNATED FOR FAST TRACK REVIEW BY THE COUNTY  
23 EXECUTIVE SHALL BE EXEMPT FROM THE NOTICE AND POSTING REQUIREMENTS  
24 OF SUBSECTIONS c AND d OF THIS SECTION 5.03 PROVIDED THAT:

25 1. THE PROJECT USE IS NOT ONE OF THE USES LISTED IN THE  
26 HARFORD COUNTY ZONING CODE IN TABLE I: PRINCIPAL PERMITTED USES,

1 UNDER THE CATEGORIES OF AMUSEMENTS, MOTOR VEHICLES AND RELATED  
2 SERVICES, RESIDENTIAL, AND RETAIL TRADE;

3 2. THE DIRECTOR OF PLANNING ENSURES THAT A NOTICE  
4 STATING THE DATE, TIME, AND PLACE OF THE DEVELOPMENT ADVISORY  
5 COMMITTEE MEETING FOR THE PROJECT IS SENT TO THE COUNTY COUNCIL  
6 PRESIDENT AT LEAST 1 WEEK PRIOR TO THE SCHEDULED DATE OF THE  
7 MEETING; AND

8 3. THE DIRECTOR OF PLANNING ENSURES THAT A NOTICE  
9 STATING THE DATE, TIME, AND PLACE OF THE DEVELOPMENT ADVISORY  
10 COMMITTEE MEETING FOR THE PROJECT IS POSTED AT A CONVENIENT PUBLIC  
11 LOCATION AT OR NEAR THE SITE OF THE MEETING.

12 h. IF THE DIRECTOR OF PLANNING DETERMINES THAT THERE  
13 HAS BEEN SUBSTANTIAL COMPLIANCE WITH THE NOTICE AND POSTING  
14 REQUIREMENTS OF SUBSECTIONS c AND d OF THIS SECTION 5.03, APPROVAL  
15 OF A DEVELOPMENT PLAN MAY NOT BE REVOKED BY THE COUNTY ON THE BASIS  
16 OF A FAILURE TO STRICTLY COMPLY WITH THE POSTING AND NOTICE  
17 REQUIREMENTS OF THESE SUBSECTIONS.

18 [c.] f i. Approval of the preliminary plan ~~{and/or}~~ OR and/or  
19 site plan shall be set forth in a letter ~~from~~ MAILED BY the  
20 Department of Planning and Zoning. This letter may include such  
21 conditions as are necessary to meet the standards of the Zoning  
22 code and Subdivision Regulations, and must be countersigned by the  
23 developer and returned to the Department of Planning and Zoning  
24 within [forty-five (45)] 45 days.

25 [c.] g j . If a Forest Conservation Plan is required by  
26 Chapter 267, Article VA of the Harford County Code, the preliminary

1 plan shall not be approved until the Forest Conservation Plan has  
2 been approved by the Department of Planning and Zoning.

3 Section 2. And Be It Further Enacted, That Subsections d through  
4 h, respectively, of Section 5.03, Approval Procedure, of Section  
5 V, the Preliminary Subdivision Plan and/or Site Plan, of the  
6 Subdivision Regulations for Harford County, Maryland, be, and are  
7 hereby, relettered to be Subsections ~~h through l~~ k through o,  
8 respectively.

9 Section 3. And Be It Further Enacted, That This Act shall take  
10 effect 60 calendar days from the date it becomes law.

11 EFFECTIVE: April 25, 1994  
12

HARFORD COUNTY BILL NO. 93-94 (as amended)

(Brief Title) DAC Meeting - Notification and  
Public Participation

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

**ENROLLED**

James D. Vannoy  
Acting Secretary  
of the Council

[Signature]  
President of the Council

Date February 8, 1994

Date February 8, 1994

**BY THE COUNCIL**

Read the third time.

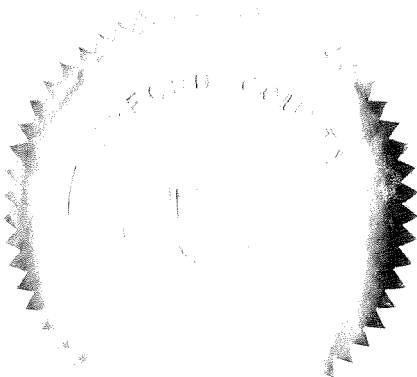
Passed: LSD 94-5 (February 8, 1994)

Failed of Passage: \_\_\_\_\_

By Order

James D. Vannoy  
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 10th day of February, 1994 at 3:00 p. m.



James D. Vannoy  
Acting Secretary

**BY THE EXECUTIVE**

Edwin M. Rehmann  
COUNTY EXECUTIVE

APPROVED: Date February 22, 1994  
BY THE COUNCIL

This Bill (No. 93-94, as amended), having been approved by the Executive and returned to the Council, becomes law on February 22, 1994.

James D. Vannoy  
Acting Secretary

EFFECTIVE DATE: April 25, 1994